argued on the question of jurisdiction. Therefore, the issue in question for decision comes only after overcoming the jurisdiction question. Then the observation from the Bench was, "assume jurisdiction and argue the case." That was what happened; and then in the end when the judgment came, the judgment was that the jurisdiction was left in doubt.

Mr. K. Achyuta Menon *(Secretary to Government):* No. No.

Mr. A. B. Salem *(Mattancheri):* Yes. That is the case. If my statement is wrong, I take the fullest responsibility of it. I say, apart from the statement in the judgment being correct, we want, our High Court should have this jurisdiction, the jurisdiction of *habeas corpus*, writs of *certiorari* writs of *mandamus* etc. There is one judgment (19 Cochin) which says clearly that there is no jurisdiction; and the present judgment does not go this way or the other. Therefore what am I to do? What about *habeas corpus*? What about *certiorari*? I think it was the intention of the Government to invest the High Court with these powers, when they passed the Government of Cochin Act.

Mr. President: Does the hon'ble member think that he can argue his question during question time?

Mr. A. B. Salem *(Mattancheri):* To make it understandable I said so much. Is it the case of the Government that they wish to give them these powers or not?

Mr. President: That question has already been answered.

JETTY—CONSTRUCTION OF—NEAR RAILWAY STATION—WILLINGDON ISLAND

58. Mr. Shabdai S. Koder *(Nominated):* Will the Government be pleased to state.—

(*a*) whether a jetty has been provided near the Railway Station in Willingdon Island for Railway passengers from Mattancheri;

(*b*) if the answer is in the affirmative, what is the distance from the jetty to the Railway Station?

Mr. K. Achyuta Menon *(Secretary to Government):*

(*a*) Yes.

(*b*) Approximately two furlongs.

Mr. Shabdai S. Koder *(Nominated):* Has the jetty been completed?

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Mr. K. Achyuta Menon *(Secretary to Government):* I have answered that the jetty has been provided.

Mr. Shabdai S. Koder *(Nominated):* Why was not the jetty made more close to the station?

Mr. K. Achyuta Menon *(Secretary to Government):* The station had to be located in the best and suitable place and the jetty can be only located where a jetty ought to be. Inevitably, there will be some distance between the jetty and the station.

Mr. Shabdai S. Koder *(Nominated):* Is it then the contention of the Government that this is the best place?

Mr. K. Achyuta Menon *(Secretary to Government):* The authorities there are of opinion that it is the most convenient place for the jetty, regard being had to the whole lay-out of the Willingdon Island.

Mr. Shabdai S. Koder *(Nominated):* May I know the distance between the Bibby line Passenger Jetty and the Railway Jetty?

Mr. K. Achyuta Menon *(Secretary to Government):* I want notice.

Mr. A. B. Salem *(Mattancheri):* Is it difficult to extend the Railway Line up to the Railway Jetty? Will the Government kindly consider this matter? For the convenience of the Bibby Line passengers, the Railway is taken up to the brink of the backwater at Ernakulam. This is a very important question affecting all the passengers in Mattancheri, who have to cross the backwaters and then again to engage rickshaws to get into the train. If the line is extended up to the jetty it will be very convenient for the passengers.

Mr. Shabdai S. Koder *(Nominated):* Will the Government be pleased to take it from me that the Bibby Line is practically touching the Railway Jetty?

Mr. K. Achyuta Menon *(Secretary to Government):* It is affirmed by the hon'ble member. No objection to accept the affirmation.

Mr. A. B. Salem *(Mattancheri):* Is there any Bibby Line jetty there?

Mr. K. Achyuta Menon *(Secretary to Government):* I am not in possession of the materials regarding the Bibby Line. I do not know how the Bibby Line question arises here.

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Mr. A. B. Salem *(Mattancheri):* The question arises in this way. If convenience is given to the Bibby Line passengers or foreign boats passengers to get from boats into the Railway, then why not similar conveniences be given to the public here?

DEFALCATION—TALAPPALLI MAGISTRATE'S COURT—HEAD CLERK—ACTION AGAINST

59. Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* Will the Government be pleased to state.—

(*a*) the name, qualifications and period of service put in by the Head clerk of the Talappalli Magistrate's Court who was concerned in the recent defalcations of Government money in the Talappalli Magistrate's Court;

(*b*) what was the amount involved;

(*c*) whether any action was taken against the Head clerk concerned;

(*d*) the period during which the defalcation occurred;

(*e*) the nature of punishment, if any, meted out to the person concerned?

Mr. K. Achyuta Menon *(Secretary to Government):*

(*a*) M. Govinda Menon—Matric—Period of service—30 years, 11 months and 17 days.

(*b*) Permanently misappropriated Rs. 1,523—6—11.
Temporarily misappropriated Rs. 2,884—12—10.

(*c*) Yes.

(*d*) Makaram 1110 to Meenam 1114.

(*e*) The whole amount was recovered and the clerk was dismissed from service.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* It is seen in the answer that the gentleman quietly misappropriated more than Rs. 4,000 in the course of 4 years and that it was not easily found out. After finding it out, he was simply dismissed from service. Why, no action was taken against him under the Penal Code?

Mr. K. Achyuta Menon *(Secretary to Government):* As an act of mercy.

Mr. V. K. Krishnankutty *(Ezhuvas-Trichur):* Then why is it that you did not extend that mercy to the person concerned in Question No. 68?

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